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Km 222
MM Docket 92-259
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JAN 12 1993

28 DEC 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
IN REPLY REFER TO:
8010-MAG
CN-9203350
1800D4

Honorable Charles S. Robb
United States Senator
1001 East Broad Street
Richmond, Virginia 23219

92-259/

Dear Senator Robb:

Thank you for your letter on behalf of Art Stamler regarding Station WAZT, Winchester, Virginia, an independent low power television (LPTV) station, that has been removed from its local cable television system. Mr. Stamler states that the cable operator cites the recent cable television reregulation as the basis of its action.

The Cable Television Consumer Protection and Competition Act of 1992 (1992 Act) provides mandatory carriage ("must-carry") rights for qualified local commercial broadcast television stations and defines the signals that must be included on the basic service tier subject to rate regulation. The 1992 Act gives the Commission 180 days (i.e., until April 3, 1993) to issue the regulations to implement these provisions. However, until these new regulations become effective, the carriage of local commercial broadcast signals continues to be at the discretion of the cable operator since there are no equivalent requirements in the Commission's existing rules.

Specifically, the 1992 Act requires each cable operator to set aside a specified number of channels, depending on its system's channel capacity, for the carriage of qualified local television stations. Such qualified signals must be carried as part of the basic cable service available to all subscribers. Under certain circumstances, LPTV stations, such as WAZT, will qualify for must-carry status. In addition, for the purpose of regulation of the basic service rate, the 1992 Act requires that the basic tier, at a minimum, consist of all must-carry signals, any public, educational and governmental access channels and any other broadcast television station provided by the cable operator (with the exception of "superstations").

The Commission recently initiated proceedings to seek comment on the implementation and clarification of provisions of the 1992 Act relating to must-carry rights (Notice of Proposed Rule Making in MM Docket No. 92-259) and rate regulation (Notice of Proposed Rule Making in MM Docket No. 92-266). Mr. Stamler's remarks will be placed in the official record of each of these proceedings so that they will receive full consideration prior to any action we take regarding implementation of these provisions of the 1992 Act.

Sincerely,

No. of Copies rec'd
List A B C D E

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Roy J. Stewart

Roy J. Stewart
Chief, Mass Media Bureau

bc: Secretary's Office, Room 222, MM Docket No. 92-259 (2 copies)
MM Docket No. 92-266 (2 copies)

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CHRISTINE O. BRIDGE
STATE DIRECTOR
JAMES E. CONNELL, III
DEPUTY STATE DIRECTOR

DATE:

12/10/92

TO:

Linda Solheim's Office/FCC

FAX:

202-632-7092

PHONE:

FROM:

Wyatt Little

NUMBER OF PAGES INCLUDING COVER:

3

COMMENTS:

Please see enclosed. Thank you
for your assistance.

12/10/92

11:38

804 771 8313

SEN. ROBB - RICH --- FCC OLA

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CHARLES S. ROBB
VIRGINIA

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COMMITTEES
COMMERCE, SCIENCE
AND TRANSPORTATION
FOREIGN RELATIONS

United States Senate

WASHINGTON, DC 20510-4603

December 10, 1992

Ms. Linda Townsend Solheim
Office of Legislative Affairs
Federal Communications Commission
1919 M Street, NW, Room 808
Washington, DC 20554-0002


Dear Ms. Solheim:

Enclosed is correspondence I have received regarding WAZT, a low power television station licensed to Winchester, Virginia.

In an effort to be of assistance, I am forwarding this information to you for your review. This matter is of particular interest to me and, accordingly, I would appreciate every fair and appropriate consideration of the enclosed letter. If you would, please reply to my office at the address indicated above, referencing WAZT/Winchester, Virginia.

Thank you in advance for your special consideration of the enclosed letter.

Sincerely,



Charles S. Robb

CSR/wll
Enclosure

12/09/92

11:13

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Shenandoah Valley☐ Radio Station **WAZR**☒ Television Station **WAZT**

FAX 1-804-771-8313

TO: Wyatt Little

FROM: Art Stamler

RE: Cable Re-Regulation Bill

DATE: 12/9/92

PAGES: 1

REPLY TO: Sender

1. WAZT (W28AZ) is a Low Power Television Station (LPTV) licensed to Winchester, Virginia.
2. As an independent station, WAZT is the only local tv facility for Winchester, and programs local news, local information, local commercials, local church programs and other material specifically for the local marketplace.
3. WAZT has been carried on Channel 51 on the Adelphia Cable System which serves the area in addition to over-the-air on Channel 28 UHF. Cable serves about 90% of the local area.
4. Adelphia has REMOVED WAZT from its Channel 51 carriage citing a provision in the cable re-regulation bill mandating that all local signals be carried on basic service, which can be interpreted as Channels 2 through 13. Adelphia Cable says it has no room on basic cable for WAZT and to continue to carry WAZT on Channel 51 would be in violation of the spirit of the law.
5. In spite of verbal and written requests for continuation of WAZT on Adelphia by elected officials and members of the community, Adelphia refuses to return WAZT to its system.
6. The cable bill will force WAZT to discontinue its very operation, and Winchester will lose its only local TV unless there is some intervention to countermand this provision.